

Appln No. 10/816,396
Amdt date November 7, 2006
Reply to Office action of July 7, 2006

REMARKS/ARGUMENTS

Claims 1-4, 7, 11-15, 17-22 and 31-33 now remain pending in this application. Applicant has amended claims 1 and has added new claims 31-33. Applicant has also amended claims 3 and 4 to be consistent with the amendments to claim 1. In addition, Applicant has canceled claims 5, 6, 8-10, 16 and 23-30 without prejudice to pursuing the subject matter of these claims in a continuation application. The amendments and new claims find full support in the original specification, claims and drawings. No new matter is presented. Accordingly, Applicant respectfully requests a timely indication of allowance.

In the Final Rejection dated July 7, 2006, the Examiner rejected claims 1-4, 7, 13, 17-20 and 22 under 35 U.S.C. § 102(b) as allegedly anticipated by Diederich, et al. (U.S. Patent No. 6,117,101). However, Applicant has amended independent claim 1 to recite a tip electrode mounted at or near a distal end of the ablation assembly. Diederich fails to teach or suggest such a feature. Accordingly, independent claim 1, and all claims dependent therefrom, including claims 2-4, 7, 11-15, 17-22 and new claim 31, are allowable over Diederich.

In addition, new independent claim 32 recites that the framework is sufficiently flexible that the diameter need not be constant along the length and the length need not be constant along the circumference so that the framework can conform to an interior volume of a nonuniformly-shaped tubular region. Diederich also fails to teach or suggest this feature. Rather, Diederich appears to disclose a cage that is "collapsible along its longitudinal axis in order to force an outward radial bias to [the] wires in an organized fashion." Column 26, lines 40-44. As such, independent claim 32 and claim 33, which depends therefrom, are also allowable over Diederich.

The Examiner also rejected claims 11, 12, 14, 15 and 21 under 35 U.S.C. § 103(a) as allegedly unpatentable over Diederich in view of one or more of Webster, Jr. (U.S. Patent No. 5,771,590)("Webster '590"), Edwards, et al. (U.S. Patent No. 5,471,982) and Webster, Jr. (U.S. Patent No. 6,183,463)("Webster '463"). However, none of Webster '590, Edwards and Webster '463 teach or suggest a tip electrode mounted at or near a distal end of the ablation assembly, as recited in amended independent claim 1. Also, none of Webster '590, Edwards and Webster '463 teach or suggest that the framework is sufficiently flexible that the diameter need not be constant

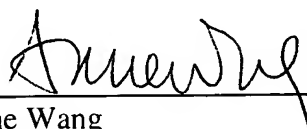
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along the length and the length need not be constant along the circumference so that the framework can conform to an interior volume of a nonuniformly-shaped tubular region, as recited in new independent claim 32. Accordingly, independent claims 1 and 32, and all claims dependent therefrom, including claims 11, 12, 14, 15, 21 and new claims 31 and 33, are allowable over Diederich, Webster '590, Edwards and Webster '463.

Moreover, new dependent claims 31 and 33 recite that the ribbon electrode comprises a plurality of ribbon electrodes, each ribbon electrode extending along a circumference of the framework and being adapted to move with the framework. None of Webster '590, Edwards and Webster '463 teach or suggest this feature.

In light of the above amendments and remarks, Applicant submits that all of pending claims 1-4, 7, 11-15, 17-22 and 31-33 are in condition for allowance. Applicant therefore respectfully requests a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number below.

Respectfully submitted,
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